

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

**JOINTLY ADMINISTERED UNDER
CASE NO. 08-45257**

PETTERS COMPANY, INC., ET AL,

Court File No. 08-45257

Debtors.

Court File Nos:

(includes:

Petters Group Worldwide, LLC;
PC Funding, LLC;
Thousand Lakes, LLC;
SPF Funding, LLC;
PL Ltd., Inc.
Edge One LLC;
MGC Finance, Inc.;
PAC Funding, LLC;
Palm Beach Finance Holdings, Inc.)

08-45258 (GFK)
08-45326 (GFK)
08-45327 (GFK)
08-45328 (GFK)
08-45329 (GFK)
08-45330 (GFK)
08-45331 (GFK)
08-45371 (GFK)
08-45392 (GFK)

Chapter 11 Cases
Judge Gregory F. Kishel

**ORDER FOR SCHEDULING CONFERENCE ON “UNIQUE ISSUES”
UNDER MOTIONS FOR DISMISSAL IN TRUSTEE’S AVOIDANCE LITIGATION**

At St. Paul, Minnesota
April 9, 2012.

Certain “unique issues” were posed by a limited number of defendants in the avoidance litigation commenced by the Trustee in these cases, in their motions for dismissal. These “unique issues” were excepted from the prescribed treatment for “common issues” that have been submitted to the court by larger numbers of defendants. Two groups of defendants asserting “unique issues” have been sued by trustees in cases related to the ones named above, on theories that may be common to litigation in these cases.

NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on **04/09/2012**
Lori Vosejpkka, Clerk, By JRB, Deputy Clerk

It is now time to address the scheduling for the presentation of these remaining "unique issues" to the court, including coordination among adversary proceedings commenced out of the several related groupings of cases. To the court's knowledge, the adversary proceedings that require such scheduling are:

In re Petters Company, Inc. - BKY 08-45257

Kelley, Stoebner, Seaver v.	
JPMorgan Chase, et al	10-4443
Kelley v. JPMorgan Chase, et al	10-4446
Kelley v. Opportunity Finance, et al	10-4301
Kelley v. West LB	10-4301
Kelley v. Opportunity Finance, LLC	10-4375
Kelley v. Crown Bank	10-4429
Kelley v. Westford Special Situations Master Fund, LP, et al	10-4396
Kelley v. Vicis Capital Master Fund, Ltd.	10-4440
Kelley v. U.S. Trust, Bank of America Private Wealth Management, as custodian of the Errol Carlstrom IRA	10-4213
Kelley v. Southwest Securities, Inc., as custodian of the Hayden R. Fleming IRA	10-4255/10-4257

In re Polaroid Corporation - BKY 08-46617

Kelley, Stoebner, Seaver v.	
JPMorgan Chase, et al	10-4444
Stoebner v. Opportunity Finance, et al	10-4600

In re Petters Capital, LLC - BKY 09-43847

Kelley, Stoebner, Seaver v.	
JPMorgan Chase, et al	10-4445

IT IS ORDERED:

1. On May 15, 2012, at 1:30 p.m., counsel for the plaintiffs and the defendants in the adversary proceedings named above shall appear in person at Courtroom 2A, United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, to participate in a scheduling conference

pursuant to Fed. R. Bankr. P. 7016. The subject of the conference shall be all issues posed in those defendants' pending motions for dismissal that were not previously presented to the court in its "common issues" procedure in the litigation out of *In re Petters Company, Inc., et al*, BKY 08-45257. Counsel shall be prepared to address the procedures and timing for the submission of those remaining issues to the court for decision, including:

- a. any need to coordinate that submission with the rendering of decision on the "common issues" currently under advisement;
- b. joint settings for hearings in any groups of adversary proceedings that involve common defendants and issues and the coordination of further pre-hearing written submissions; and
- c. the setting of separate hearings for the submission of all other issues.

2. By 12:00 noon on May 4, 2012, counsel for all plaintiffs and all defendants shall file statements to identify all such "unique issues" as yet unsubmitted for decision. All such statements shall be filed to the particular adversary proceeding, and shall not be filed to the associated main bankruptcy case(s).

BY THE COURT:

/e/ Gregory F. Kishel

GREGORY F. KISHEL
CHIEF UNITED STATES BANKRUPTCY JUDGE